

VEHICLE LICENSE PLATE AND REGISTRATION AMENDMENTS

2022 GENERAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill modifies provisions related to license plates.

Highlighted Provisions:

This bill:

- defines terms;
- amends provisions regarding standard license plates;
- creates a moratorium on the personalized license plate program;
- allows a county to require an emissions inspection of a vintage vehicle under certain circumstances; and
- makes technical and conforming changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:**AMENDS:**

41-1a-102, as last amended by Laws of Utah 2019, Chapters 373, 428, 459, and 479

41-1a-222, as last amended by Laws of Utah 2017, Chapter 24

41-1a-226, as last amended by Laws of Utah 2017, Chapter 406

41-1a-401, as last amended by Laws of Utah 2018, Chapters 260, 260, and 454

41-1a-402, as last amended by Laws of Utah 2018, Chapters 20 and 262

41-1a-410, as last amended by Laws of Utah 1993, Chapter 222

41-1a-411, as last amended by Laws of Utah 2020, Chapter 259

41-1a-416, as last amended by Laws of Utah 2008, Chapter 382

41-1a-421, as last amended by Laws of Utah 2018, Chapter 39

41-1a-1212, as last amended by Laws of Utah 2014, Chapters 61, 237, and 237

32 **41-1a-1305**, as last amended by Laws of Utah 2020, Chapter 74

33 **41-6a-1642**, as last amended by Laws of Utah 2021, Chapter 322

34

35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **41-1a-102** is amended to read:

37 **41-1a-102. Definitions.**

38 As used in this chapter:

39 (1) "Actual miles" means the actual distance a vehicle has traveled while in operation.

40 (2) "Actual weight" means the actual unladen weight of a vehicle or combination of
41 vehicles as operated and certified to by a weighmaster.

42 (3) "All-terrain type I vehicle" means the same as that term is defined in Section
43 41-22-2.

44 (4) "All-terrain type II vehicle" means the same as that term is defined in Section
45 41-22-2.

46 (5) "All-terrain type III vehicle" means the same as that term is defined in Section
47 41-22-2.

48 (6) "Alternative fuel vehicle" means:

49 (a) an electric motor vehicle;

50 (b) a hybrid electric motor vehicle;

51 (c) a plug-in hybrid electric motor vehicle; or

52 (d) a motor vehicle powered exclusively by a fuel other than:

53 (i) motor fuel;

54 (ii) diesel fuel;

55 (iii) natural gas; or

56 (iv) propane.

57 (7) "Amateur radio operator" means a person licensed by the Federal Communications
58 Commission to engage in private and experimental two-way radio operation on the amateur
59 band radio frequencies.

60 (8) "Autocycle" means the same as that term is defined in Section 53-3-102.

61 (9) "Automated driving system" means the same as that term is defined in Section
62 41-26-102.1.

- 63 (10) "Branded title" means a title certificate that is labeled:
- 64 (a) rebuilt and restored to operation;
- 65 (b) flooded and restored to operation; or
- 66 (c) not restored to operation.
- 67 (11) "Camper" means a structure designed, used, and maintained primarily to be
- 68 mounted on or affixed to a motor vehicle that contains a floor and is designed to provide a
- 69 mobile dwelling, sleeping place, commercial space, or facilities for human habitation or for
- 70 camping.
- 71 (12) "Certificate of title" means a document issued by a jurisdiction to establish a
- 72 record of ownership between an identified owner and the described vehicle, vessel, or outboard
- 73 motor.
- 74 (13) "Certified scale weigh ticket" means a weigh ticket that has been issued by a
- 75 weighmaster.
- 76 (14) "Commercial vehicle" means a motor vehicle, trailer, or semitrailer used or
- 77 maintained for the transportation of persons or property that operates:
- 78 (a) as a carrier for hire, compensation, or profit; or
- 79 (b) as a carrier to transport the vehicle owner's goods or property in furtherance of the
- 80 owner's commercial enterprise.
- 81 (15) "Commission" means the State Tax Commission.
- 82 (16) "Consumer price index" means the same as that term is defined in Section
- 83 59-13-102.
- 84 (17) "Dealer" means a person engaged or licensed to engage in the business of buying,
- 85 selling, or exchanging new or used vehicles, vessels, or outboard motors either outright or on
- 86 conditional sale, bailment, lease, chattel mortgage, or otherwise or who has an established
- 87 place of business for the sale, lease, trade, or display of vehicles, vessels, or outboard motors.
- 88 (18) "Diesel fuel" means the same as that term is defined in Section 59-13-102.
- 89 (19) "Division" means the Motor Vehicle Division of the commission, created in
- 90 Section 41-1a-106.
- 91 (20) "Dynamic driving task" means the same as that term is defined in Section
- 92 41-26-102.1.
- 93 (21) "Electric motor vehicle" means a motor vehicle that is powered solely by an

electric motor drawing current from a rechargeable energy storage system.

(22) "Essential parts" means the integral and body parts of a vehicle of a type required to be registered in this state, the removal, alteration, or substitution of which would tend to conceal the identity of the vehicle or substantially alter the vehicle's appearance, model, type, or mode of operation.

(23) "Farm tractor" means a motor vehicle designed and used primarily as a farm implement for drawing plows, mowing machines, and other implements of husbandry.

(24) (a) "Farm truck" means a truck used by the owner or operator of a farm solely for the owner's or operator's own use in the transportation of:

(i) farm products, including livestock and its products, poultry and its products, floricultural and horticultural products;

(ii) farm supplies, including tile, fence, and any other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production; and

(iii) livestock, poultry, and other animals and things used for breeding, feeding, or other purposes connected with the operation of a farm.

(b) "Farm truck" does not include the operation of trucks by commercial processors of agricultural products.

(25) "Fleet" means one or more commercial vehicles.

(26) "Foreign vehicle" means a vehicle of a type required to be registered, brought into this state from another state, territory, or country other than in the ordinary course of business by or through a manufacturer or dealer, and not registered in this state.

(27) "Gross laden weight" means the actual weight of a vehicle or combination of vehicles, equipped for operation, to which shall be added the maximum load to be carried.

(28) "Highway" or "street" means the entire width between property lines of every way or place of whatever nature when any part of it is open to the public, as a matter of right, for purposes of vehicular traffic.

(29) "Hybrid electric motor vehicle" means a motor vehicle that draws propulsion energy from onboard sources of stored energy that are both:

(a) an internal combustion engine or heat engine using consumable fuel; and

(b) a rechargeable energy storage system where energy for the storage system comes solely from sources onboard the vehicle.

(30) (a) "Identification number" means the identifying number assigned by the manufacturer or by the division for the purpose of identifying the vehicle, vessel, or outboard motor.

(b) "Identification number" includes a vehicle identification number, state assigned identification number, hull identification number, and motor serial number.

(31) "Implement of husbandry" means a vehicle designed or adapted and used exclusively for an agricultural operation and only incidentally operated or moved upon the highways.

(32) (a) "In-state miles" means the total number of miles operated in this state during the preceding year by fleet power units.

(b) If a fleet is composed entirely of trailers or semitrailers, "in-state miles" means the total number of miles that those vehicles were towed on Utah highways during the preceding year.

(33) "Interstate vehicle" means a commercial vehicle operated in more than one state, province, territory, or possession of the United States or foreign country.

(34) "Jurisdiction" means a state, district, province, political subdivision, territory, or possession of the United States or any foreign country.

(35) "Lienholder" means a person with a security interest in particular property.

(36) "Manufactured home" means a transportable factory built housing unit constructed on or after June 15, 1976, according to the Federal Home Construction and Safety Standards Act of 1974 (HUD Code), in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or when erected on site, is 400 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

(37) "Manufacturer" means a person engaged in the business of constructing, manufacturing, assembling, producing, or importing new or unused vehicles, vessels, or outboard motors for the purpose of sale or trade.

(38) "Mobile home" means a transportable factory built housing unit built prior to June 15, 1976, in accordance with a state mobile home code which existed prior to the Federal Manufactured Housing and Safety Standards Act (HUD Code).

156 (39) "Motor fuel" means the same as that term is defined in Section 59-13-102.

157 (40) (a) "Motor vehicle" means a self-propelled vehicle intended primarily for use and
158 operation on the highways.

159 (b) "Motor vehicle" does not include:

160 (i) an off-highway vehicle; or

161 (ii) a motor assisted scooter as defined in Section 41-6a-102.

162 (41) "Motorboat" means the same as that term is defined in Section 73-18-2.

163 (42) "Motorcycle" means:

164 (a) a motor vehicle having a saddle for the use of the rider and designed to travel on not
165 more than three wheels in contact with the ground; or

166 (b) an autocycle.

167 (43) "Natural gas" means a fuel of which the primary constituent is methane.

168 (44) (a) "Nonresident" means a person who is not a resident of this state as defined by
169 Section 41-1a-202, and who does not engage in intrastate business within this state and does
170 not operate in that business any motor vehicle, trailer, or semitrailer within this state.

171 (b) A person who engages in intrastate business within this state and operates in that
172 business any motor vehicle, trailer, or semitrailer in this state or who, even though engaging in
173 interstate commerce, maintains a vehicle in this state as the home station of that vehicle is
174 considered a resident of this state, insofar as that vehicle is concerned in administering this
175 chapter.

176 (45) "Odometer" means a device for measuring and recording the actual distance a
177 vehicle travels while in operation, but does not include any auxiliary odometer designed to be
178 periodically reset.

179 (46) "Off-highway implement of husbandry" means the same as that term is defined in
180 Section 41-22-2.

181 (47) "Off-highway vehicle" means the same as that term is defined in Section 41-22-2.

182 (48) (a) "Operate" means:

183 (i) to navigate a vessel; or

184 (ii) collectively, the activities performed in order to perform the entire dynamic driving
185 task for a given motor vehicle by:

186 (A) a human driver as defined in Section 41-26-102.1; or

(B) an engaged automated driving system.

(b) "Operate" includes testing of an automated driving system.

(49) "Original issue license plate" means a license plate that is of a format and type issued by the state in the same year as the model year of a vehicle that is a model year 1973 or older.

~~[(49)]~~ (50) "Outboard motor" means a detachable self-contained propulsion unit, excluding fuel supply, used to propel a vessel.

~~[(50)]~~ (51) (a) "Owner" means a person, other than a lienholder, holding title to a vehicle, vessel, or outboard motor whether or not the vehicle, vessel, or outboard motor is subject to a security interest.

(b) If a vehicle is the subject of an agreement for the conditional sale or installment sale or mortgage of the vehicle with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or mortgagor, or if the vehicle is the subject of a security agreement, then the conditional vendee, mortgagor, or debtor is considered the owner for the purposes of this chapter.

(c) If a vehicle is the subject of an agreement to lease, the lessor is considered the owner until the lessee exercises the lessee's option to purchase the vehicle.

~~[(51)]~~ (52) "Park model recreational vehicle" means a unit that:

(a) is designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use;

(b) is not permanently affixed to real property for use as a permanent dwelling;

(c) requires a special highway movement permit for transit; and

(d) is built on a single chassis mounted on wheels with a gross trailer area not exceeding 400 square feet in the setup mode.

~~[(52)]~~ (53) "Personalized license plate" means a license plate that has displayed on it a combination of letters, numbers, or both as requested by the owner of the vehicle and assigned to the vehicle by the division.

~~[(53)]~~ (54) (a) "Pickup truck" means a two-axle motor vehicle with motive power manufactured, remanufactured, or materially altered to provide an open cargo area.

(b) "Pickup truck" includes a motor vehicle with the open cargo area covered with a

218 camper, camper shell, tarp, removable top, or similar structure.

219 ~~[(54)]~~ (55) "Plug-in hybrid electric motor vehicle" means a hybrid electric motor
220 vehicle that has the capability to charge the battery or batteries used for vehicle propulsion
221 from an off-vehicle electric source, such that the off-vehicle source cannot be connected to the
222 vehicle while the vehicle is in motion.

223 ~~[(55)]~~ (56) "Pneumatic tire" means a tire in which compressed air is designed to
224 support the load.

225 ~~[(56)]~~ (57) "Preceding year" means a period of 12 consecutive months fixed by the
226 division that is within 16 months immediately preceding the commencement of the registration
227 or license year in which proportional registration is sought. The division in fixing the period
228 shall conform it to the terms, conditions, and requirements of any applicable agreement or
229 arrangement for the proportional registration of vehicles.

230 ~~[(57)]~~ (58) "Public garage" means a building or other place where vehicles or vessels
231 are kept and stored and where a charge is made for the storage and keeping of vehicles and
232 vessels.

233 ~~[(58)]~~ (59) "Receipt of surrender of ownership documents" means the receipt of
234 surrender of ownership documents described in Section 41-1a-503.

235 ~~[(59)]~~ (60) "Reconstructed vehicle" means a vehicle of a type required to be registered
236 in this state that is materially altered from its original construction by the removal, addition, or
237 substitution of essential parts, new or used.

238 ~~[(60)]~~ (61) "Recreational vehicle" means the same as that term is defined in Section
239 13-14-102.

240 ~~[(61)]~~ (62) "Registration" means a document issued by a jurisdiction that allows
241 operation of a vehicle or vessel on the highways or waters of this state for the time period for
242 which the registration is valid and that is evidence of compliance with the registration
243 requirements of the jurisdiction.

244 (63) "Registration decal" means the decal issued by the division that is evidence of
245 compliance with the division's registration requirements.

246 ~~[(62)]~~ (64) (a) "Registration year" means a 12 consecutive month period commencing
247 with the completion of the applicable registration criteria.

248 (b) For administration of a multistate agreement for proportional registration the

249 division may prescribe a different 12-month period.

250 ~~[(63)]~~ (65) "Repair or replacement" means the restoration of vehicles, vessels, or
251 outboard motors to a sound working condition by substituting any inoperative part of the
252 vehicle, vessel, or outboard motor, or by correcting the inoperative part.

253 ~~[(64)]~~ (66) "Replica vehicle" means:

254 (a) a street rod that meets the requirements under Subsection 41-21-1(3)(a)(i)(B); or

255 (b) a custom vehicle that meets the requirements under Subsection

256 41-6a-1507(1)(a)(i)(B).

257 ~~[(65)]~~ (67) "Road tractor" means a motor vehicle designed and used for drawing other
258 vehicles and constructed so it does not carry any load either independently or any part of the
259 weight of a vehicle or load that is drawn.

260 ~~[(66)]~~ (68) "Sailboat" means the same as that term is defined in Section 73-18-2.

261 ~~[(67)]~~ (69) "Security interest" means an interest that is reserved or created by a security
262 agreement to secure the payment or performance of an obligation and that is valid against third
263 parties.

264 ~~[(68)]~~ (70) "Semitrailer" means a vehicle without motive power designed for carrying
265 persons or property and for being drawn by a motor vehicle and constructed so that some part
266 of its weight and its load rests or is carried by another vehicle.

267 ~~[(69)]~~ (71) "Special group license plate" means a type of license plate designed for a
268 particular group of people or a license plate authorized and issued by the division in accordance
269 with Section 41-1a-418.

270 ~~[(70)]~~ (72) (a) "Special interest vehicle" means a vehicle used for general
271 transportation purposes and that is:

272 (i) 20 years or older from the current year; or

273 (ii) a make or model of motor vehicle recognized by the division director as having
274 unique interest or historic value.

275 (b) In making a determination under Subsection ~~[(70)]~~ (72)(a), the division director
276 shall give special consideration to:

277 (i) a make of motor vehicle that is no longer manufactured;

278 (ii) a make or model of motor vehicle produced in limited or token quantities;

279 (iii) a make or model of motor vehicle produced as an experimental vehicle or one

280 designed exclusively for educational purposes or museum display; or

281 (iv) a motor vehicle of any age or make that has not been substantially altered or
282 modified from original specifications of the manufacturer and because of its significance is
283 being collected, preserved, restored, maintained, or operated by a collector or hobbyist as a
284 leisure pursuit.

285 ~~[(71)]~~ (73) (a) "Special mobile equipment" means a vehicle:

286 (i) not designed or used primarily for the transportation of persons or property;

287 (ii) not designed to operate in traffic; and

288 (iii) only incidentally operated or moved over the highways.

289 (b) "Special mobile equipment" includes:

290 (i) farm tractors;

291 (ii) off-road motorized construction or maintenance equipment including backhoes,
292 bulldozers, compactors, graders, loaders, road rollers, tractors, and trenchers; and

293 (iii) ditch-digging apparatus.

294 (c) "Special mobile equipment" does not include a commercial vehicle as defined
295 under Section 72-9-102.

296 ~~[(72)]~~ (74) "Specially constructed vehicle" means a vehicle of a type required to be
297 registered in this state, not originally constructed under a distinctive name, make, model, or
298 type by a generally recognized manufacturer of vehicles, and not materially altered from its
299 original construction.

300 (75) "Standard license plate" means a license plate for general issue described in
301 Subsection 41-1a-402(1).

302 ~~[(73)]~~ (76) "State impound yard" means a yard for the storage of a vehicle, vessel, or
303 outboard motor that meets the requirements of rules made by the commission pursuant to
304 Subsection 41-1a-1101(5).

305 (77) "Symbol decal" means the decal that is designed to represent a special group and
306 displayed on a special group license plate.

307 ~~[(74)]~~ (78) "Title" means the right to or ownership of a vehicle, vessel, or outboard
308 motor.

309 ~~[(75)]~~ (79) (a) "Total fleet miles" means the total number of miles operated in all
310 jurisdictions during the preceding year by power units.

(b) If fleets are composed entirely of trailers or semitrailers, "total fleet miles" means the number of miles that those vehicles were towed on the highways of all jurisdictions during the preceding year.

~~[(76)]~~ (80) "Trailer" means a vehicle without motive power designed for carrying persons or property and for being drawn by a motor vehicle and constructed so that no part of its weight rests upon the towing vehicle.

~~[(77)]~~ (81) "Transferee" means a person to whom the ownership of property is conveyed by sale, gift, or any other means except by the creation of a security interest.

~~[(78)]~~ (82) "Transferor" means a person who transfers the person's ownership in property by sale, gift, or any other means except by creation of a security interest.

~~[(79)]~~ (83) "Travel trailer," "camping trailer," or "fifth wheel trailer" means a portable vehicle without motive power, designed as a temporary dwelling for travel, recreational, or vacation use that does not require a special highway movement permit when drawn by a self-propelled motor vehicle.

~~[(80)]~~ (84) "Truck tractor" means a motor vehicle designed and used primarily for drawing other vehicles and not constructed to carry a load other than a part of the weight of the vehicle and load that is drawn.

~~[(81)]~~ (85) "Vehicle" includes a motor vehicle, trailer, semitrailer, off-highway vehicle, camper, park model recreational vehicle, manufactured home, and mobile home.

~~[(82)]~~ (86) "Vessel" means the same as that term is defined in Section 73-18-2.

~~[(83)]~~ (87) "Vintage vehicle" means the same as that term is defined in Section 41-21-1.

~~[(84)]~~ (88) "Waters of this state" means the same as that term is defined in Section 73-18-2.

~~[(85)]~~ (89) "Weighmaster" means a person, association of persons, or corporation permitted to weigh vehicles under this chapter.

Section 2. Section **41-1a-222** is amended to read:

41-1a-222. Application for multiyear registration -- Payment of taxes -- Penalties.

(1) The owner of any intrastate fleet of commercial vehicles which is based in the state may apply to the commission for registration in accordance with this section.

(a) The application shall be made on a form prescribed by the commission.

(b) Upon payment of required fees and meeting other requirements prescribed by the commission, the division shall issue, to each vehicle for which application has been made, a multiyear license plate and registration card.

(i) The [~~license plate~~] registration decal and the registration card shall bear an expiration date fixed by the division and are valid until ownership of the vehicle to which they are issued is transferred by the applicant or until the expiration date, whichever comes first.

(ii) An annual renewal application must be made by the owner if registration identification has been issued on an annual installment fee basis and the required fees must be paid on an annual basis.

(iii) License plates and registration cards issued pursuant to this section are valid for an eight-year period, commencing with the year of initial application in this state.

(c) When application for registration or renewal is made on an installment payment basis, the applicant shall submit acceptable evidence of a surety bond in a form, and with a surety, approved by the commission and in an amount equal to the total annual fees required for all vehicles registered to the applicant in accordance with this section.

(2) Each vehicle registered as part of a fleet of commercial vehicles must be titled in the name of the fleet.

(3) Each owner who registers fleets pursuant to this section shall pay the taxes or in lieu fees otherwise due pursuant to:

(a) Section 41-1a-206;

(b) Section 41-1a-207;

(c) Subsection 41-1a-301(12);

(d) Section 59-2-405.1;

(e) Section 59-2-405.2; or

(f) Section 59-2-405.3.

(4) An owner who fails to comply with the provisions of this section is subject to the penalties in Section 41-1a-1301 and, if the commission so determines, will result in the loss of the privileges granted in this section.

Section 3. Section **41-1a-226** is amended to read:

41-1a-226. Vintage vehicle -- Signed statement -- Registration.

(1) The owner of a vintage vehicle who applies for registration under this part shall

provide a signed statement that the vintage vehicle:

(a) is owned and operated for the purposes described in Section 41-21-1; and

(b) is safe to operate on the highways of this state as described in Section 41-21-4.

(2) ~~[The]~~ Except as provided in Subsection 41-6a-1642(14), the signed statement described in Subsection (1) is in lieu of an emissions inspection, from which a vintage vehicle is exempt under Subsection 41-6a-1642(4).

Section 4. Section ~~41-1a-401~~ is amended to read:

41-1a-401. License plates -- Number of plates -- Reflectorization -- Indicia of registration in lieu of or used with plates.

(1) (a) Except as provided in Subsection (1)(c), the division upon registering a vehicle shall issue to the owner:

(i) one license plate for a motorcycle, trailer, or semitrailer;

(ii) one registration decal for a park model recreational vehicle, in lieu of a license plate, which shall be attached in plain sight to the rear of the park model recreational vehicle;

(iii) one registration decal for a camper, in lieu of a license plate, which shall be attached in plain sight to the rear of the camper; and

(iv) two identical license plates for every other vehicle.

(b) The license plate or registration decal issued under Subsection (1)(a) is for the particular vehicle registered and may not be removed during the term for which the license plate or registration decal is issued or used upon any other vehicle than the registered vehicle.

(c) (i) Notwithstanding Subsections (1)(a) and (b) and except as provided in Subsection (1)(c)(ii), the division, upon registering a motor vehicle that has been sold, traded, or the ownership of which has been otherwise released, shall transfer the license plate issued to the person applying to register the vehicle if:

(A) the previous registered owner has included the license plate as part of the sale, trade, or ownership release; and

(B) the person applying to register the vehicle applies to transfer the license plate to the new registered owner of the vehicle.

(ii) The division may not transfer a personalized or special group license plate to a new registered owner under this Subsection (1)(c) if the new registered owner does not meet the qualification or eligibility requirements for that personalized or special group license plate

under Sections 41-1a-410 through 41-1a-422.

(2) The division may receive applications for registration renewal, renew registration, and issue new license plates or registration decals at any time prior to the expiration of registration.

(3) (a) (i) All license plates to be manufactured and issued by the division shall be treated with a fully reflective material on the plate face that provides effective and dependable reflective brightness during the service period of the license plate.

(ii) For a historical support special group license plate created under this part, the division shall procure reflective material to satisfy the requirement under Subsection (3)(a)(i) as soon as such material is available at a reasonable cost.

(b) The division shall prescribe all license plate material specifications and establish and implement procedures for conforming to the specifications.

(c) The specifications for the materials used such as the aluminum plate substrate, the reflective sheeting, and glue shall be drawn in a manner so that at least two manufacturers may qualify as suppliers.

(d) The granting of contracts for the materials shall be by public bid.

(4) (a) The commission may issue, adopt, and require the use of indicia of registration it considers advisable in lieu of or in conjunction with license plates as provided in this part.

(b) All provisions of this part relative to license plates apply to these indicia of registration, so far as the provisions are applicable.

(5) A violation of this section is an infraction.

Section 5. Section **41-1a-402** is amended to read:

41-1a-402. Required colors, numerals, and letters -- Expiration.

(1) (a) Upon registering a vehicle, the division shall issue to the owner a standard license plate described in Subsection (1)(b) unless the division issues to the owner:

(i) a special group license plate described in Section 41-1a-418; or

(ii) an apportioned vehicle license plate described in Section 41-1a-301.

(b) The division shall offer four standard license plate options, each with a different design as follows:

(i) two designs that incorporate one or more elements that represent the state's economy or geography;

435 (ii) one design that represents the state's values or culture; and

436 (iii) one design that commemorates a current event relevant to the state or a significant

437 anniversary of a historic event relevant to the state.

438 (c) The division shall offer:

439 (i) each design described in Subsection (1)(b)(i) or (ii) for at least a 10-year period; and

440 (ii) each design described in Subsection (1)(b)(iii) for no more than a five-year period.

441 (d) The division may not offer more than four standard license plate designs at any one
442 time.

443 (2) Before the division offers a design described in Subsection (1), the division shall:

444 (a) consult with the Governor's Office of Economic Opportunity and the Utah

445 Department of Cultural and Community Engagement regarding the proposed design; and

446 (b) submit to the Legislature the proposed design for approval by concurrent resolution.

447 ~~[(1)]~~ (3) Each license plate shall have displayed on it:

448 (a) the registration number assigned to the vehicle for which it is issued;

449 (b) the name of the state; and

450 (c) unless exempted by Section 41-1a-301 or 41-1a-407, a registration decal showing
451 the date of expiration displayed in accordance with Subsection (6).

452 ~~[(2)]~~ (4) If registration is extended by affixing a registration decal to the license plate,
453 the expiration date of the registration decal governs the expiration date of the license plate.

454 ~~[(3) Except as provided in Subsection (4), each original license plate that is not one of~~
455 ~~the special group license plates issued under Section 41-1a-418 shall be:]~~

456 ~~[(a) a statehood centennial license plate with the same color, design, and slogan as the~~
457 ~~plates issued in conjunction with the statehood centennial;]~~

458 ~~[(b) a Ski Utah license plate; or]~~

459 ~~[(c) an In God We Trust license plate:]~~

460 ~~[(4) Beginning on the date that the division determines the existing inventories of~~
461 ~~statehood centennial license plates and Ski Utah license plates are exhausted, each license plate~~
462 ~~that is not one of the special group license plates issued under Section 41-1a-418 shall:]~~

463 ~~[(a) (i) display the "Life Elevated" slogan; and]~~

464 ~~[(ii) have a color and design approved by the 57th Legislature in the 2007 General~~
465 ~~Session that features:]~~

~~[(A) a skier with the "Greatest Snow on Earth" slogan; or]~~

~~[(B) Delicate Arch;]~~

~~[(b) be an In God We Trust license plate; or]~~

~~[(c) beginning on the date that the division determines the existing inventories of decals for an apportioned vehicle described in Section 41-1a-301 are exhausted, be a distinctive license plate displaying the word "apportioned" or the abbreviation "APP."]~~

(5) (a) Except as provided under Subsection 41-1a-215(2) and Section 41-1a-216, license plates shall be renewed annually.

(b) (i) The division shall issue the vehicle owner a month registration decal and a year registration decal upon the vehicle's first registration with the division.

(ii) The division shall issue the vehicle owner only a year registration decal upon subsequent renewals of registration to validate registration renewal.

~~[(6) The decals issued in accordance with Subsection (5) shall be applied as follows:]~~

~~[(a) for license plates issued beginning in 1974 through 1985, decals displayed on license plates with black lettering on a white background shall be applied to the lower left-hand corner of the rear of the license plate vehicles;]~~

~~[(b) decals displayed on statehood centennial license plates and on Ski Utah license plates issued in accordance with Subsection (3) shall be applied to the upper left-hand corner of the rear license plate;]~~

~~[(c) decals displayed on special group license plates issued in accordance with Section 41-1a-418 shall be applied to the upper right-hand corner of the license plate unless there is a plate indentation on the upper left-hand corner of the license plate;]~~

~~[(d) decals displayed on license plates with the "Life Elevated" slogan issued in accordance with Subsection (4) shall be applied in the upper left-hand corner for the month decal and the upper right-hand corner for the year decal;]~~

~~[(e) decals displayed on license plates with the "In God We Trust" slogan issued in accordance with Subsection (4)(b) shall be applied in the upper right-hand corner of the rear license plate unless there is a plate indentation on the upper left-hand corner of the license plate;]~~

~~[(f) decals issued for motorcycles shall be applied to the upper corner of the license plate opposite the word "Utah"; and]~~

~~[(g) decals displayed on license plates issued under Section 41-1a-416 shall be applied as appropriate for the year of the plate.]~~

~~(6) Except as otherwise provided by rule:~~

~~[(7)] (a) [The] the month registration decal issued in accordance with Subsection (5) shall be displayed on the license plate in the left position[-]; and~~

~~(b) [The] the year registration decal issued in accordance with Subsection (5) shall be displayed on the license plate in the right position.~~

~~[(8)] (7) The current year registration decal issued in accordance with Subsection (5) shall be placed over or in place of the previous year registration decal.~~

~~[(9)] (8) If a license plate, month registration decal, or year registration decal is lost or destroyed, a replacement shall be issued upon application and payment of the fees required under Section 41-1a-1211 or 41-1a-1212.~~

~~[(10)] (9) (a) A violation of this section is an infraction.~~

~~(b) A court shall waive a fine for a violation under this section if:~~

~~(i) the registration for the vehicle was current at the time of the citation; and~~

~~(ii) the person to whom the citation was issued provides, within 21 business days, evidence that the license plate and registration decals are properly displayed in compliance with this section.~~

~~(10) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the division may make rules regarding the placement and positioning of registration decals on license plates issued by the division.~~

Section 6. Section **41-1a-410** is amended to read:

41-1a-410. Eligibility for personalized plates.

(1) ~~[A]~~ Subject to Subsection 41-1a-411(4), a person who is the registered owner of a vehicle not subject to registration under Section 41-1a-301, registered with the division, or who applies for an original registration of a vehicle not subject to registration under Section 41-1a-301, may upon payment of the fee prescribed in Section 41-1a-1211 apply to the division for personalized license plates.

(2) Application shall be made in accordance with Section 41-1a-411.

(3) The personalized plates shall be affixed to the vehicle for which registration is sought in lieu of the regular license plates.

(4) Personalized license plates shall be issued only to the registered owner of the vehicle on which they are to be displayed.

Section 7. Section ~~41-1a-411~~ is amended to read:

41-1a-411. Application for personalized plates -- Refusal authorized.

(1) ~~[An]~~ Subject to Subsection (4), an applicant for personalized license plates or renewal of the plates shall file an application for the plates in the form and by the date the division requires, indicating the combination of letters, numbers, or both requested as a registration number.

(2) Subject to Subsection (4):

(a) ~~[Except]~~ except as provided in Subsection (3), the division may refuse to issue any combination of letters, numbers, or both that:

(i) may carry connotations offensive to good taste and decency or that would be misleading; or

(ii) disparages a group based on:

(A) race;

(B) color;

(C) national origin;

(D) religion;

(E) age;

(F) sex;

(G) gender identity;

(H) sexual orientation;

(I) citizenship status; or

(J) physical or mental disability.

(b) ~~[The]~~ the division may refuse to issue a combination of letters, numbers, or both as a registration number if that same combination is already in use as a registration number on an existing license plate.

(3) Subject to Subsection (4):

(a) ~~[Except]~~ except as provided in Subsection (2) or (3)(b), the division may not refuse a combination of letters, numbers, or both as a registration number if:

(i) the license plate is an honor special group license plate as described in Section

41-1a-421, and the combination of letters, numbers, or both refers to:

(A) a year related to military service;

(B) a military branch; or

(C) an official achievement, badge, or honor received for military service; or

(ii) the combination of letters, numbers, or both as a registration number refers to an official state symbol described in Section 63G-1-601.

(b) [Hf] if an applicant requests a combination containing only numbers, the division may refuse the combination if the combination includes less than four numerical digits.

(4) (a) Beginning July 1, 2022, the division may not accept an application for or issue a personalized plate under this section.

(b) On or before October 1 of each year, the commission shall prepare and submit to the Transportation Interim Committee a report on personalized license plate programs in other states that provides:

(i) information on relevant court cases and rulings involving other state's personalized license plate programs;

(ii) if available, other state responses to legal challenges to that state's personalized license plate program; and

(iii) recommendations regarding Utah's personalized license plate program, including:

(A) reinstating the personalized license plate program;

(B) continuing the moratorium; or

(C) modifying or repealing the personalized license plate program.

Section 8. Section **41-1a-416** is amended to read:

41-1a-416. Original issue license plates -- Alternative stickers -- Rulemaking.

(1) The owner of a motor vehicle that is a model year 1973 or older may apply to the division for permission to display an original issue license plate ~~[of a format and type issued by the state in the same year as the model year of the vehicle].~~

~~[(2) The owner of a motor vehicle who desires to display original issue license plates instead of license plates issued under Section 41-1a-401 shall:]~~

(2) An owner described in Subsection (1) shall:

(a) complete an application on a form provided by the division;

~~[(b) supply and submit the original license plates that the owner desires to display to~~

590 ~~the division for approval; and]~~

591 (b) supply and submit to the division for approval the original issue license plate that
592 the owner intends to display on the motor vehicle; and

593 (c) pay the fees prescribed in Sections 41-1a-1206 and 41-1a-1211.

594 (3) ~~[The division, prior to approval of an application under this section,]~~ Before
595 approving an application under this section, the division shall determine that the original issue
596 license ~~[plates]~~ plate:

597 (a) ~~[are]~~ is of a format and type issued by the state for use on a motor vehicle ~~[in this~~
598 ~~state]~~;

599 (b) ~~[have]~~ has numbers and characters that are unique and do not conflict with existing
600 license plate series in this state;

601 (c) ~~[are]~~ is legible, durable, and otherwise in a condition that serves the purposes of this
602 chapter~~[, except that original issue license plates are exempt from the provision of Section~~
603 ~~41-1a-401 regarding reflectorization and Section 41-1a-403 regarding legibility from 100 feet]~~;
604 and

605 (d) ~~[are]~~ is from the same year of issue as the model year of the motor vehicle on which
606 ~~[they are]~~ the original issue license plate is to be displayed.

607 (4) (a) ~~[An]~~ Except as provided in this section, the owner of a motor vehicle displaying
608 an original issue license ~~[plates]~~ plate approved under this section is not exempt from any
609 ~~[other requirement of]~~ requirement described in this chapter ~~[except as specified under this~~
610 ~~section]~~.

611 (b) An original issue license plate approved under this section is exempt from:

612 (i) the provisions of Section 41-1a-401 regarding reflectorization; and

613 (ii) Section 41-1a-403.

614 (5) (a) ~~[An owner of a motor vehicle currently registered in this state whose original~~
615 ~~issue license plates are not approved by the division because of the requirement in Subsection~~
616 ~~(3)(b)]~~ A registered owner whose original issue license plate does not meet the requirement
617 described in Subsection (3)(b) may apply to the division for a sticker to allow the temporary
618 display of the original issue license ~~[plates]~~ plate if:

619 (i) the ~~[plates otherwise comply]~~ license plate otherwise complies with this section;

620 (ii) the ~~[plates are]~~ license plate is only displayed when the motor vehicle is used for

participating in motor vehicle club activities, exhibitions, tours, parades, and similar activities
[and are not used for general daily transportation];

(iii) the license ~~[plates]~~ plate and registration issued under this chapter for normal use
of the motor vehicle for general daily transportation on the highways of this state are kept in the
motor vehicle and shown to a peace officer on request; and

(iv) the sticker issued by the division under this subsection is properly affixed to the
face of the original issue license plate.

(b) The sticker issued under this section shall be the size and form customarily
furnished by the division.

(6) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, the
division may make rules for the implementation of this section.

Section 9. Section ~~41-1a-421~~ is amended to read:

41-1a-421. Honor special group license plates -- Personal identity requirements.

(1) (a) The requirements of this Subsection (1) apply to a vehicle displaying a:

(i) survivor of the Japanese attack on Pearl Harbor license plate;

(ii) former prisoner of war license plate;

(iii) Purple Heart license plate;

(iv) disabled veteran license plate; or

(v) campaign or combat theater award license plate.

(b) The vehicle shall be titled in the name of the veteran or the veteran and spouse.

(c) Upon the death of the veteran, the surviving spouse may, upon application to the
division, retain the special group license plate symbol decal so long as the surviving spouse
remains unmarried.

(d) The division shall require the surviving spouse to make a sworn statement that the
surviving spouse is unmarried before renewing the registration under this section.

(2) Proper evidence of a Purple Heart is either:

(a) a membership card in the Military Order of the Purple Heart; or

(b) an original or certificate in lieu of the applicant's military discharge form, DD-214,
issued by the National Personnel Records Center.

(3) The Purple Heart license plates shall bear:

(a) the words "Purple Heart" at the bottom of the plate;

(b) a logo substantially depicting a Purple Heart award; and

(c) the letter and number combinations assigned by the division.

(4) Proper evidence that a person is a disabled veteran is a written document issued by a military entity certifying that the person is disabled as a result of service in a branch of the United States Military.

(5) A disabled veteran seeking a disabled veteran license plate shall request the Department of Veterans and Military Affairs to provide the verification required under Subsection (4).

(6) (a) An applicant for a gold star license plate shall submit written documentation that the applicant is a recipient of a gold star award issued by the United States Secretary of Defense.

(b) Written documentation under Subsection (6)(a) may include any of the following:

(i) a death certificate;

(ii) documentation showing classification of death as listed by the United States Secretary of Defense;

(iii) a casualty report;

(iv) a telegram from the United States Secretary of Defense or one of the branches of the United States armed forces; or

(v) other documentation that verifies the applicant meets the requirements of Subsection (6)(a).

(7) An applicant for a campaign or combat theater award special group license plate shall:

(a) be a contributor in accordance with Subsections 41-1a-422(1)(a)(i)(B) and (1)(a)(ii)(A); and

(b) submit a form to the division obtained from the Department of Veterans and Military Affairs which verifies that the applicant qualifies for the campaign or combat theater award special group license plate requested.

(8) Each campaign or combat theater award special group license plate authorized by the Department of Veterans and Military Affairs shall be considered a new special group license plate and require the payment of the fees associated with newly authorized special group license plates.

Section 10. Section **41-1a-1212** is amended to read:

41-1a-1212. Fee for replacement of license plate decals.

A fee established in accordance with Section 63J-1-504 shall be paid to the division for the replacement of a license plate registration decal required by Section 41-1a-402 or a registration decal required by Section 41-1a-401.

Section 11. Section **41-1a-1305** is amended to read:

41-1a-1305. License plate and registration card violations -- Class C misdemeanor.

It is a class C misdemeanor:

(1) to break, injure, interfere with, or remove from any vehicle any seal, lock, or device on it for holding or displaying any license plate or registration card attached for denoting registration and identity of the vehicle;

(2) to remove from any registered vehicle the license plate or registration card issued or attached to it for its registration;

(3) to place or display any license plate or registration card upon any other vehicle than the one for which it was issued by the division;

(4) to use or permit the use or display of any license plate, registration card, or permit upon or in the operation of any vehicle other than that for which it was issued;

(5) to operate upon any highway of this state any vehicle required by law to be registered without having the license plate or plates securely attached, except that the registration card issued by the division to all trailers and semitrailers shall be carried in the towing vehicle;

(6) for any weighmaster to knowingly make any false entry in his record of weights of vehicles subject to registration or to knowingly report to the commission or division any false information regarding the weights;

(7) for any inspector, officer, agent, employee, or other person performing any of the functions required for the registration or operation of vehicles subject to registration, to do, permit, cause, connive at, or permit to be done any act with the intent, or knowledge that the probable effect of the act would be to injure any person, deprive him of his property, or to injure or defraud the state with respect to its revenues relating to title or registration of vehicles;

(8) for any person to combine or conspire with another to do, attempt to do, or cause or allow any of the acts in this chapter classified as a misdemeanor;

(9) to operate any motor vehicle with a camper mounted on it upon any highway without displaying a current registration decal in clear sight upon the rear of the camper, issued by the county assessor of the county in which the camper has situs for taxation;

(10) to manufacture, use, display, or sell any facsimile or reproduction of any license plate issued by the division or any article that would appear to be a substitute for a license plate; or

(11) to fail to return to the division any registration card, license plate or plates, registration decal, permit, or title that has been canceled, suspended, voided, or revoked.

Section 12. Section **41-6a-1642** is amended to read:

41-6a-1642. Emissions inspection -- County program.

(1) The legislative body of each county required under federal law to utilize a motor vehicle emissions inspection and maintenance program or in which an emissions inspection and maintenance program is necessary to attain or maintain any national ambient air quality standard shall require:

(a) a certificate of emissions inspection, a waiver, or other evidence the motor vehicle is exempt from emissions inspection and maintenance program requirements be presented:

(i) as a condition of registration or renewal of registration; and

(ii) at other times as the county legislative body may require to enforce inspection requirements for individual motor vehicles, except that the county legislative body may not routinely require a certificate of emissions inspection, or waiver of the certificate, more often than required under Subsection (9); and

(b) compliance with this section for a motor vehicle registered or principally operated in the county and owned by or being used by a department, division, instrumentality, agency, or employee of:

(i) the federal government;

(ii) the state and any of its agencies; or

(iii) a political subdivision of the state, including school districts.

(2) A vehicle owner subject to Subsection (1) shall obtain a motor vehicle emissions inspection and maintenance program certificate of emissions inspection as described in

Subsection (1), but the program may not deny vehicle registration based solely on the presence of a defeat device covered in the Volkswagen partial consent decrees or a United States Environmental Protection Agency-approved vehicle modification in the following vehicles:

(a) a 2.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are mitigated in the state pursuant to a partial consent decree, including:

(i) Volkswagen Jetta, model years 2009, 2010, 2011, 2012, 2013, 2014, and 2015;

(ii) Volkswagen Jetta Sportwagen, model years 2009, 2010, 2011, 2012, 2013, and 2014;

(iii) Volkswagen Golf, model years 2010, 2011, 2012, 2013, 2014, and 2015;

(iv) Volkswagen Golf Sportwagen, model year 2015;

(v) Volkswagen Passat, model years 2012, 2013, 2014, and 2015;

(vi) Volkswagen Beetle, model years 2013, 2014, and 2015;

(vii) Volkswagen Beetle Convertible, model years 2013, 2014, and 2015; and

(viii) Audi A3, model years 2010, 2011, 2012, 2013, and 2015; and

(b) a 3.0-liter diesel engine motor vehicle in which its lifetime nitrogen oxide emissions are mitigated in the state to a settlement, including:

(i) Volkswagen Touareg, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;

(ii) Audi Q7, model years 2009, 2010, 2011, 2012, 2013, 2014, 2015, and 2016;

(iii) Audi A6 Quattro, model years 2014, 2015, and 2016;

(iv) Audi A7 Quattro, model years 2014, 2015, and 2016;

(v) Audi A8, model years 2014, 2015, and 2016;

(vi) Audi A8L, model years 2014, 2015, and 2016;

(vii) Audi Q5, model years 2014, 2015, and 2016; and

(viii) Porsche Cayenne Diesel, model years 2013, 2014, 2015, and 2016.

(3) (a) The legislative body of a county identified in Subsection (1), in consultation with the Air Quality Board created under Section 19-1-106, shall make regulations or ordinances regarding:

(i) emissions standards;

(ii) test procedures;

(iii) inspections stations;

(iv) repair requirements and dollar limits for correction of deficiencies; and

(v) certificates of emissions inspections.

(b) In accordance with Subsection (3)(a), a county legislative body:

(i) shall make regulations or ordinances to attain or maintain ambient air quality standards in the county, consistent with the state implementation plan and federal requirements;

(ii) may allow for a phase-in of the program by geographical area; and

(iii) shall comply with the analyzer design and certification requirements contained in the state implementation plan prepared under Title 19, Chapter 2, Air Conservation Act.

(c) The county legislative body and the Air Quality Board shall give preference to an inspection and maintenance program that:

(i) is decentralized, to the extent the decentralized program will attain and maintain ambient air quality standards and meet federal requirements;

(ii) is the most cost effective means to achieve and maintain the maximum benefit with regard to ambient air quality standards and to meet federal air quality requirements as related to vehicle emissions; and

(iii) provides a reasonable phase-out period for replacement of air pollution emission testing equipment made obsolete by the program.

(d) The provisions of Subsection (3)(c)(iii) apply only to the extent the phase-out:

(i) may be accomplished in accordance with applicable federal requirements; and

(ii) does not otherwise interfere with the attainment and maintenance of ambient air quality standards.

(4) The following vehicles are exempt from an emissions inspection program and the provisions of this section:

(a) an implement of husbandry as defined in Section 41-1a-102;

(b) a motor vehicle that:

(i) meets the definition of a farm truck under Section 41-1a-102; and

(ii) has a gross vehicle weight rating of 12,001 pounds or more;

(c) subject to Subsection (14), a vintage vehicle as defined in Section 41-21-1;

(d) a custom vehicle as defined in Section 41-6a-1507;

(e) to the extent allowed under the current federally approved state implementation

plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401, et seq., a motor vehicle that is less than two years old on January 1 based on the age of the vehicle as determined by the model year identified by the manufacturer;

(f) a pickup truck, as defined in Section 41-1a-102, with a gross vehicle weight rating of 12,000 pounds or less, if the registered owner of the pickup truck provides a signed statement to the legislative body stating the truck is used:

(i) by the owner or operator of a farm located on property that qualifies as land in agricultural use under Sections 59-2-502 and 59-2-503; and

(ii) exclusively for the following purposes in operating the farm:

(A) for the transportation of farm products, including livestock and its products, poultry and its products, floricultural and horticultural products; and

(B) in the transportation of farm supplies, including tile, fence, and every other thing or commodity used in agricultural, floricultural, horticultural, livestock, and poultry production and maintenance;

(g) a motorcycle as defined in Section 41-1a-102;

(h) an electric motor vehicle as defined in Section 41-1a-102; and

(i) a motor vehicle with a model year of 1967 or older.

(5) The county shall issue to the registered owner who signs and submits a signed statement under Subsection (4)(f) a certificate of exemption from emissions inspection requirements for purposes of registering the exempt vehicle.

(6) A legislative body of a county described in Subsection (1) may exempt from an emissions inspection program a diesel-powered motor vehicle with a:

(a) gross vehicle weight rating of more than 14,000 pounds; or

(b) model year of 1997 or older.

(7) The legislative body of a county required under federal law to utilize a motor vehicle emissions inspection program shall require:

(a) a computerized emissions inspection for a diesel-powered motor vehicle that has:

(i) a model year of 2007 or newer;

(ii) a gross vehicle weight rating of 14,000 pounds or less; and

(iii) a model year that is five years old or older; and

(b) a visual inspection of emissions equipment for a diesel-powered motor vehicle:

838 (i) with a gross vehicle weight rating of 14,000 pounds or less;

839 (ii) that has a model year of 1998 or newer; and

840 (iii) that has a model year that is five years old or older.

841 (8) (a) Subject to Subsection (8)(c), the legislative body of each county required under
842 federal law to utilize a motor vehicle emissions inspection and maintenance program or in
843 which an emissions inspection and maintenance program is necessary to attain or maintain any
844 national ambient air quality standard may require each college or university located in a county
845 subject to this section to require its students and employees who park a motor vehicle not
846 registered in a county subject to this section to provide proof of compliance with an emissions
847 inspection accepted by the county legislative body if the motor vehicle is parked on the college
848 or university campus or property.

849 (b) College or university parking areas that are metered or for which payment is
850 required per use are not subject to the requirements of this Subsection (8).

851 (c) The legislative body of a county shall make the reasons for implementing the
852 provisions of this Subsection (8) part of the record at the time that the county legislative body
853 takes its official action to implement the provisions of this Subsection (8).

854 (9) (a) An emissions inspection station shall issue a certificate of emissions inspection
855 for each motor vehicle that meets the inspection and maintenance program requirements
856 established in rules made under Subsection (3).

857 (b) The frequency of the emissions inspection shall be determined based on the age of
858 the vehicle as determined by model year and shall be required annually subject to the
859 provisions of Subsection (9)(c).

860 (c) (i) To the extent allowed under the current federally approved state implementation
861 plan, in accordance with the federal Clean Air Act, 42 U.S.C. Sec. 7401 et seq., the legislative
862 body of a county identified in Subsection (1) shall only require the emissions inspection every
863 two years for each vehicle.

864 (ii) The provisions of Subsection (9)(c)(i) apply only to a vehicle that is less than six
865 years old on January 1.

866 (iii) For a county required to implement a new vehicle emissions inspection and
867 maintenance program on or after December 1, 2012, under Subsection (1), but for which no
868 current federally approved state implementation plan exists, a vehicle shall be tested at a

frequency determined by the county legislative body, in consultation with the Air Quality Board created under Section 19-1-106, that is necessary to comply with federal law or attain or maintain any national ambient air quality standard.

(iv) If a county legislative body establishes or changes the frequency of a vehicle emissions inspection and maintenance program under Subsection (9)(c)(iii), the establishment or change shall take effect on January 1 if the State Tax Commission receives notice meeting the requirements of Subsection (9)(c)(v) from the county before October 1.

(v) The notice described in Subsection (9)(c)(iv) shall:

(A) state that the county will establish or change the frequency of the vehicle emissions inspection and maintenance program under this section;

(B) include a copy of the ordinance establishing or changing the frequency; and

(C) if the county establishes or changes the frequency under this section, state how frequently the emissions testing will be required.

(d) If an emissions inspection is only required every two years for a vehicle under Subsection (9)(c), the inspection shall be required for the vehicle in:

(i) odd-numbered years for vehicles with odd-numbered model years; or

(ii) in even-numbered years for vehicles with even-numbered model years.

(10) (a) Except as provided in Subsections (9)(b), (c), and (d), the emissions inspection required under this section may be made no more than two months before the renewal of registration.

(b) (i) If the title of a used motor vehicle is being transferred, the owner may use an emissions inspection certificate issued for the motor vehicle during the previous 11 months to satisfy the requirement under this section.

(ii) If the transferor is a licensed and bonded used motor vehicle dealer, the owner may use an emissions inspection certificate issued for the motor vehicle in a licensed and bonded motor vehicle dealer's name during the previous 11 months to satisfy the requirement under this section.

(c) If the title of a leased vehicle is being transferred to the lessee of the vehicle, the lessee may use an emissions inspection certificate issued during the previous 11 months to satisfy the requirement under this section.

(d) If the motor vehicle is part of a fleet of 101 or more vehicles, the owner may not

use an emissions inspection made more than 11 months before the renewal of registration to satisfy the requirement under this section.

(e) If the application for renewal of registration is for a six-month registration period under Section 41-1a-215.5, the owner may use an emissions inspection certificate issued during the previous eight months to satisfy the requirement under this section.

(11) (a) A county identified in Subsection (1) shall collect information about and monitor the program.

(b) A county identified in Subsection (1) shall supply this information to an appropriate legislative committee, as designated by the Legislative Management Committee, at times determined by the designated committee to identify program needs, including funding needs.

(12) If approved by the county legislative body, a county that had an established emissions inspection fee as of January 1, 2002, may increase the established fee that an emissions inspection station may charge by \$2.50 for each year that is exempted from emissions inspections under Subsection (9)(c) up to a \$7.50 increase.

(13) (a) Except as provided in Subsection 41-1a-1223(1)(c), a county identified in Subsection (1) may impose a local emissions compliance fee on each motor vehicle registration within the county in accordance with the procedures and requirements of Section 41-1a-1223.

(b) A county that imposes a local emissions compliance fee may use revenues generated from the fee for the establishment and enforcement of an emissions inspection and maintenance program in accordance with the requirements of this section.

(c) A county that imposes a local emissions compliance fee may use revenues generated from the fee to promote programs to maintain a local, state, or national ambient air quality standard.

(14) A county legislative body described in Subsection (1) may require an emissions inspection of a vintage vehicle, as defined in Section 41-21-1, if the vintage vehicle is driven more than 1,500 miles during the prior calendar year.